

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

IKORONGO TECHNOLOGY LLC )  
and IKORONGO TEXAS LLC, )  
                               )  
                               )  
Plaintiffs,                 )  
                               )      Civil Action No. 6:20-cv-00258-ADA  
v.                             )  
                               )  
LYFT, INC.                 )  
                               )  
Defendants.                 )

**DECLARATION OF KARL RUPP IN SUPPORT OF IKORONGO'S OPPOSITION TO  
LYFT'S MOTION TO TRANSFER**

I, Karl Rupp, declare as follows:

1. I am an attorney of record for Plaintiffs Ikorongo Texas LLC and Ikorongo Technology LLC in these actions, and I am admitted to practice before this Court. If called to testify, I would and could competently testify to the following facts within my personal knowledge, except as to matters stated on information and belief, as to which matters, I could testify that I believe them to be true.
2. To compare the cost of attending trial for witnesses, I looked up flights from each locality where witnesses are located to Austin-Bergstrom International Airport (AUS), Dallas/Fort Worth International Airport(DFW), and San Francisco International Airport (SFO). Except for witnesses traveling from Seattle or Korea, travel is less expensive and requires less time when traveling to AUS or DFW. For travel that is more expensive to Texas than to San Francisco, the cost difference is less than \$100. A single night's stay in a hotel in Waco instead of San Francisco would more than make up for this cost difference.
3. The following paragraphs reflect information gathered by using Google to look up flight times

and prices between various locations relevant in this action. All the prices in the following paragraphs are for round-trip flights between the stated airports. The stated times are each way.

4. I looked up flight times from the San Francisco International Airport (SFO) to Austin-Bergstrom International Airport (AUS). I found there were direct flights of 3 hours and 30 minutes of travel time, starting at \$219. I also looked up flights from San Jose (SJC) to Austin-Bergstrom International Airport (AUS). I found there were direct flights of 3 hours and 30 minutes, starting at \$304. I also looked up flights from SFO to Dallas/Fort Worth International Airport (DFW). I found there were direct flights of 3 hours and 30 minutes, starting at \$247. I also looked up flights from SJC to DFW. I found there were direct flights of 3 hours and 34 minutes, starting at \$267. *See Exhibit H.*
5. I looked up flight times from the John F. Kennedy International Airport (JFK) to AUS. I found there were direct flights of 4 hours and 2 minutes of travel time, starting at \$327. I also looked up flights from JFK to DFW. I found there were direct flights of 4 hours and 2 minutes, starting at \$103. I also looked up flights from LGA to DFW. I found there were direct flights of 3 hours and 39 minutes, starting at \$60. *See Exhibit H.*
6. I looked up flight times from Incheon International Airport (ICN) in Korea to AUS. I found flights of 15 hours and 37 minutes travel time for \$696. *See Exhibit H.*
7. I looked up flight times from Seattle-Tacoma International Aiport (SEA) to AUS. I found there were direct flights of 4 hours travel time starting at \$218. I looked up flights from SEA to DFW. I found there were direct flights of 3 hours and 55 minutes travel time starting at \$289. I looked up flights from SEA to SFO. I found direct flights of 2 hours and 8 minutes travel time starting at \$175. *See Exhibit H.*
8. I looked up flights from Raleigh-Durham International Airport (RDU) to AUS. I found there were direct flights of 3 hours and 26 minutes travel time starting at \$197. I looked up flights from RDU to DFW. I found there were direct flights of 3 hours and 25 minutes travel time

starting at \$343. I looked up flights from RDU to SFO. I found direct flights of 5 hours and 46 minutes travel time starting at \$219. *See Exhibit H.*

9. I looked up flights from Denver International Airport (DEN) to DFW. I found there were direct flights of 1 hour and 55 minutes travel time starting at \$56. I looked up flights from DEN to AUS. I found there were direct flights of 2 hours and 9 minutes travel time starting at \$80. I looked up flights from DEN to SFO. I found there were direct flights of about 2 hours and 52 minutes travel time starting at \$67. *See Exhibit H.*
10. I looked up flights from Nashville International Airport (BNA) to SFO. I found direct flights of 4 hours and 50 minutes starting at \$359. I looked up flights from BNA to DFW. I found direct flights of 2 hours and 18 minutes starting at \$201. I looked up flights from BNA to AUS. I found direct flights of 2 hours starting at \$113. *See Exhibit H.*
11. I looked up flights from Newark Liberty International Airport (EWR) to SFO. I found direct flights of 6 hours and 13 minutes starting at \$289. I looked up flights from EWR to DFW. I found direct flights of 3 hours and 42 minutes starting at \$103. I looked up flights from EWR to AUS. I found direct flights of 3 hours and 48 minutes starting at \$105. *See Exhibit H.*
12. I looked up flights from Hartsfield-Jackson Atlanta International Airport (ATL) to SFO. I found direct flights of 5 hours and 22 minutes starting at \$221. I looked up flights from ATL to DFW. I found direct flights of 2 hours and 28 minutes starting at \$60. I looked up flights from ATL to AUS. I found direct flights of 2 hours and 9 minutes starting at \$82. *See Exhibit H.*
13. I had a paralegal e-mail hotels near the federal courthouses in Waco and San Francisco to inquire about the pricing of conference rooms to be used by counsel during trial, from January 24, 2022 to January 28, 2022. I received the following price quotes: The Hilton Waco offered a conference room for \$750 for 5 days. The Phoenix Hotel in San Francisco offered a studio suite that can be used as a conference room for \$409 per night, or \$2,045 for 5 days. *See*

## Exhibit I.

14. Mr. Reed lives in Denver, Colorado and Mr. Briggs lives in Nashville, TN.
15. True and correct copies of the following documents are attached as exhibits hereto:

Exhibit A	Assignments of Patent Rights
Exhibit B	Assignment of Patent Rights from members to Ikorongo TX
Exhibit C	Julia Riessen Deposition Transcript
Exhibit D	Austin Business Journal Article “Google confirms Austin expansion, will begin moving in next year,” found at: <a href="https://www.bizjournals.com/austin/news/2019/06/14/google-confirms-austin-expansion-will-begin-moving.html">https://www.bizjournals.com/austin/news/2019/06/14/google-confirms-austin-expansion-will-begin-moving.html</a>
Exhibit E	New York Times article: “They Got Rich Off Uber and Lyft. Then They Moved to Low-Tax States” found at: <a href="https://nyti.ms/2H8odAU">https://nyti.ms/2H8odAU</a>
Exhibit F	Daniel Hochman Speaker Profile, QConPlus, found at: <a href="https://plus.qconferences.com/plus2020/speakers/daniel-hochman">https://plus.qconferences.com/plus2020/speakers/daniel-hochman</a>
Exhibit G	Lyft Revenue Usage Statistics (2020) – Business of Apps, found at: <a href="https://www.businessofapps.com/data/lyft-statistics/">https://www.businessofapps.com/data/lyft-statistics/</a>
Exhibit H	Screenshots of research regarding travel costs from various localities to SFO, AUS, and DFW
Exhibit I	Correspondence from The Hilton Waco and The Phoenix Hotel in San Francisco regarding the cost of conference rooms

I declare under penalty of perjury of the laws of the United States of America and Texas, that the foregoing is true and correct. Executed on the date noted below in Dallas, Texas.

Dated: January 5, 2020

Respectfully submitted,

/s/ Karl Rupp

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***COUNSEL FOR PLAINTIFFS***

**CERTIFICATE OF SERVICE**

I hereby certify that on January 5, 2020, I electronically filed the foregoing with the Clerk of using the CM/ECF system which will send notification of such filing to all counsel of record.

/s/ Karl Rupp

**KARL RUPP**